

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

_____)	
TRIVERITY CORP.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-0391
)	
WILLIAM J. MCDERMID, <u>et. al.</u> ,)	
)	
Defendants.)	
_____)	

ORDER

This matter comes before the Court on Defendants' Motion for Summary Judgment and Plaintiff's Motion for Partial Summary Judgment and Renewed Motion to Strike Affirmative Defenses 2, 7, and 15 from Defendants' Revised Amended Answer. It appearing to the Court that there are issues of material fact in dispute as to each of Plaintiff's claims and Defendants' counterclaims, and that Affirmative Defenses 2, 7, and 15 should be stricken from Defendants' Revised Amended Answer pursuant to this Court's Order and accompanying Memorandum Opinion of July 8, 2005, it is hereby

ORDERED that Defendants' Motion for Summary Judgment and Plaintiff's Motion for Partial Summary Judgment are DENIED and Affirmative Defenses 2, 7, and 15 are STRICKEN from Defendants' Revised Amended Answer.

/s/

CLAUDE M. HILTON
UNITED STATES DISTRICT JUDGE

Alexandria, Virginia
October 4, 2006